



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

JUL 25 2017

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Richard Heller
4326 Acacia Circle
Coconut Creek, FL 33066-2051

**Re: Overdue Response to Required Submission of Information
Lower Darby Creek Area Superfund Site – Clearview Landfill
Philadelphia and Darby Township, Pennsylvania**

Dear Mr. Heller:

On February 2, 2017, the U.S. Environmental Protection Agency ("EPA") issued you a letter (enclosed), pursuant to Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9604(e), requiring you to provide information and/or documents relating to the above-referenced Site within 30 calendar days from your receipt of the letter ("Information Request"). Although you have not accepted service of the Information Request which was sent to you via Certified Mail, your attorney Andrew Donaghy confirmed his receipt of the Information Request on your behalf. Your response to that request was due to the EPA by no later than **March 24, 2017**.

John Moscato of the United States Department of Justice had additional conversations with Mr. Donaghy regarding your response to the Information Request on March 15, 2017 (via both telephone and electronic mail), March 27, 2017 (via telephone), and April 28, 2017 (via electronic mail). In each instance Mr. Moscato was assured that you were preparing a response. During a phone call on May 16, 2017, however, Mr. Donaghy informed Mr. Moscato that no response would be forthcoming "anytime soon." To date, EPA has not received any response from you to its February 2, 2017 Information Request.

EPA hereby advises you that your failure to respond to the Information Request, or to justify adequately your failure to respond, may subject you to an enforcement action by EPA, pursuant to Section 104(e)(5)(A) of CERCLA, 42 U.S.C. 9604(e)(5)(A). This section authorizes EPA to issue an order directing compliance with an information request made under the statute "after such notice and opportunity for consultation as is reasonably appropriate under the circumstances." This letter constitutes such notice.

In addition, Section 104(e)(5)(B) of CERCLA, 42 U.S.C. 9604(e)(5)(B), allows EPA to seek judicial enforcement of an information request and authorizes the federal district courts to assess a civil penalty not to exceed \$54,789 for each day of non-compliance. In recent decisions, courts have assessed significant penalties against parties which had not complied with EPA information requests.

You must fully respond to EPA's February 2, 2017 Information Request or justify adequately your failure to respond within **seven (7) calendar days** from your receipt of this letter. This seven-day period, is not an extension of the original deadline. **This letter is your final opportunity to cure your failure to respond to the EPA's February 2, 2017 Information Request.** The EPA may take enforcement action based upon your failure to respond to the Information Request in a timely and complete manner.

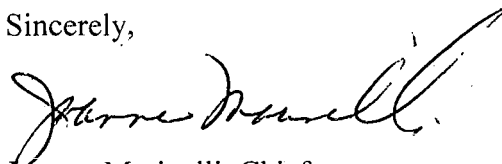
All documents and information should be submitted to:

Ms. Carlyn Winter Prisk (3HS62)
U.S. Environmental Protection Agency, Region III
1650 Arch Street
Philadelphia, PA 19103-2029

Be advised that the provision of false, fictitious or fraudulent statements or representations in response to the EPA's Information Request may subject you to criminal sanctions under 18 U.S.C. § 1001.

If you have any questions concerning this matter, please contact Ms. Prisk at (215) 814-2625 or have your attorney contact Judith Hykel, Senior Assistant Regional Counsel, at (215) 814-2619 or John Moscato, Senior Counsel, U.S. Department of Justice at (303) 844-1380.

Sincerely,



Joanne Marinelli, Chief
Cost Recovery Branch

cc: Carlyn Winter Prisk (3HS62)
Judith Hykel, Esq. (3RC43)
John Moscato, Esq. (USDOJ)
Noreen Wagner (PADEP)
Andrew J. Donaghy, Esq. (17 West Third Street, P.O. Box 108, Media, Pa 19063)

Enclosure: February 2, 2017 Information Request



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

FEB 02 2017

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Clearview Land Development Company
Richard Heller, President
4326 Acacia Circle
Coconut Creek, FL 33066-2051

**Re: Request for Financial Information
Lower Darby Creek Area Superfund Site – Clearview Landfill
Philadelphia and Darby Township, Pennsylvania**

Dear Mr. Heller:

Clearview Land Development Company ("CLDC") previously received notice of its potential liability at the Clearview Landfill, Operable Unit 1 ("OU1") of the Lower Darby Creek Area Superfund Site ("Site") by letters dated March 4, 2013 and January 16, 2015. The U.S. Environmental Protection Agency ("EPA") is now seeking information related to CLDC's ability pay for or perform the clean-up required at the Clearview Landfill, located along Darby Creek in Darby Township and Philadelphia, Pennsylvania. The specific information required is attached to this letter as Enclosures E and F. Further directions regarding your response to this letter can be found in Enclosures A, B, C, and D.

Pursuant to the authority of Section 104(e) CERCLA 42 U.S.C. § 9604(e), EPA has the authority to require you to furnish all information and documents in your possession, custody or control, or in the possession, custody or control of any of CLDC's employees or agents, which concern, refer, or relate to CLDC's ability to pay EPA's costs in cleaning up OU1 of the Site.

Section 104 of CERCLA authorizes EPA to pursue penalties for failure to comply with that section or for failure to respond adequately to required submissions of information. In addition, providing false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. § 1001. The information you provide may be used by EPA in administrative, civil, or criminal proceedings.

You must respond in writing to this required submission of information (see Enclosures E and F for the specific information requested) within **thirty (30) calendar days** of your receipt of this letter.

If, for any reason, you do not provide all information responsive to this letter, then in your answer to EPA you must: (1) describe specifically what was not provided, and (2) provide to EPA an appropriate reason why the information was not provided.

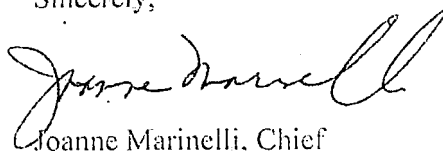
All documents and information should be sent to:

Ms. Carlyn Winter Prisk (3HS62)
U.S. Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029

This required submission of information is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. § 3501, et seq.

If you have any questions concerning this Information Request, please contact Ms. Prisk at (215) 814-2625, or have your attorney contact Judith Hykel at (215) 814-2646.

Sincerely,


Joanne Marinelli, Chief
Cost Recovery Branch

Enclosures:

- A. Business Confidentiality Claims/Disclosure of Your Response to EPA Contractors and Grantees
- B. List of Contractors that May Review Your Response
- C. Definitions
- D. Instructions
- E. Information Requested
- F. Financial Statement of Individual Debtor

cc: Judith Hykel (3RC43)
Carlyn Winter Prisk (3HS62)
John Moscato (USDOJ)
Andrew J. Donaghy, Esq. (17 West Third Street, P.O. Box 108, Media, PA 19063)
Noreen Wagner (PADEP)

Enclosure A

Business Confidentiality Claims

You are entitled to assert a claim of business confidentiality covering any part or all of the submitted information, in the manner described in 40 C.F.R. Part 2, Subpart B. Information subject to a claim of business confidentiality will be made available to the public only in accordance with the procedures set forth in 40 C.F.R. Part 2, Subpart B. If a claim of business confidentiality is not asserted when the information is submitted to EPA, EPA may make this information available to the public without further notice to you. You must clearly mark such claimed information by either stamping or using any other such form of notice that such information is a trade secret, proprietary, or company confidential. To best ensure that your intent is clear, we recommend that you mark as confidential each page containing such claimed information.

Disclosure of Your Response to EPA Contractors and Grantees

EPA may contract with one or more independent contracting firms (See, Enclosure B) to review the documentation, including documents which you claim are confidential business information ("CBI"), which you submit in response to this information request, depending on available agency resources. Additionally, EPA may provide access to this information to (an) individual(s) working under (a) cooperative agreement(s) under the Senior Environmental Employee Program ("SEE Enrollees"). The SEE Program was authorized by the Environmental Programs Assistance Act of 1984 (Pub. L. 98-313). The contractor(s) and/or SEE Enrollee(s) will be filing, organizing, analyzing and/or summarizing the information for EPA personnel. The contractors have signed a contract with EPA that contains a confidentiality clause with respect to CBI that they handle for EPA. The SEE Enrollee(s) is working under a cooperative agreement that contains a provision concerning the treatment and safeguarding of CBI. The individual SEE Enrollee has also signed a confidentiality agreement regarding treatment of CBI. Pursuant to Section 104(e)(7) of CERCLA, 42 U.S.C. § 9604(e)(7), and EPA's regulations at 40 C.F.R. § 2.310(h), EPA may share such CBI with EPA's authorized representatives which include contractors and cooperators under the Environmental Programs Assistance Act of 1984. (See 58 Fed.Reg. 7187 (1993)). If you have any objection to disclosure by EPA of documents which you claim are CBI to any or all of the entities listed in Enclosure B, you must notify EPA in writing at the time you submit such documents.

Enclosure B

[rev. 12/2016]

List of Contractors That May Review Your Response

Emergint Technologies, Inc.

Contract # EP-W-11-025

Subcontractor: Booz-Allen & Hamilton

Booz-Allen & Hamilton

Contract # EP-W-11-016

CDM-Federal Programs Corporation

Contract # EP-S3-07-06

Subcontractors: CDI-Infrastructure, LLC d/b/a L.R.
Kimball
Avatar Environmental LLC
Terradon Corporation

Cherokee Nation Assurance, LLC

Contract #EP-S3-14-01

EA Engineering, Science and Technology, Inc.

Contract #EP-S3-07-07

Subcontractor: URS

Eisenstein Malanchuck, LLP

Contract #EP-W-13-006

Subcontractors: R. M. Fields International, LLC

Hydrogeologic (HGL)

Contract #EP-S3-07-05

Subcontractor: CH2MHill
Sullivan International

Weston Solutions

Contract #EP-S3-1502

Tech Law, Inc. (Removal Program)

Contract #EP-S3-1503

Tetra Tech NUS, Inc.

Contract #EP-S3-07-04

Kemron Environmental Services, Inc.

Contract #EP-S3-12-01,

Subcontractor: AECOM Technical Services, Inc.

Guardian Environmental Services Company, Inc.

Contract #EP-S3-12-02.

Subcontractors: Aerotek, Inc.,
Tetra Tech, Inc.

Environmental Restoration, LLC

Contract # EP-S3-12-03

Subcontractors: Aerotek, Inc
Haas Environmental, Inc.
Hertz

Northstar Federal Services, Inc.

Contract # EP-S3-12-05

ICF International

Contract # EP-BPA-12-W-0003

Cooperative Agreements

National Association of Hispanic Elderly

CA# CQ-835398

National Older Workers Career Center

CA# Q-835621

Enclosure C

Definitions

1. The term "arrangement" shall mean every separate contract or other agreement or understanding between two or more persons, whether written or oral.
2. The term "documents" shall mean writings, photographs, sound or magnetic records, drawings, or other similar things by which information has been preserved and also includes information preserved in a form which must be translated or deciphered by machine in order to be intelligible to humans. Examples of documents include, but are not limited to, electronic mail and other forms of computer communication, drafts, correspondence, memoranda, notes, diaries, statistics, letters, telegrams, minutes, contracts, reports, studies, checks, statements, receipts, summaries, pamphlets, books, invoices, checks, bills of lading, weight receipts, toll receipts, offers, contracts, agreements, deeds, leases, manifests, licenses, permits, bids, proposals, policies of insurance, logs, inter-office and intra-office communications, notations of any conversations (including, without limitation, telephone calls, meetings, and other communications such as e-mail), bulletins, printed matter, computer printouts, invoices, worksheets, graphic or oral records or representations of any kind (including, without limitation, charts, graphs, microfiche, microfilm, videotapes, recordings and motion pictures), electronic, mechanical, magnetic or electric records or representations of any kind (including, without limitation, tapes, cassettes, discs, recordings and computer memories), minutes of meetings, memoranda, notes, calendar or daily entries, agendas, notices, announcements, maps, manuals, brochures, reports of scientific study or investigation, schedules, price lists, data, sample analyses, and laboratory reports.
3. The term "hazardous substance" means (a) any substance designated pursuant to section 1321(b)(2)(A) of Title 33 of the U.S. Code, (b) any element, compound, mixture, solution, or substance designated pursuant to Section 9602 of CERCLA, (c) any hazardous waste having the characteristics identified under or listed pursuant to Section 3001 of the Solid Waste Disposal Act (42 U.S.C. § 6921) (but not including any waste the regulation of which under the Solid Waste Disposal Act, 42 U.S.C. § 6901 et seq., has been suspended by Act of Congress), (d) any toxic pollutant listed under Section 1317(a) of Title 33, (e) any hazardous air pollutant listed under section 112 of the Clean Air Act, 42 U.S.C. § 7412, and (f) any imminently hazardous chemical substance or mixture with respect to which the Administrator has taken action pursuant to Section 2606 of Title 15 of the U.S. Code. The term does not include petroleum, including crude oil or any fraction thereof which is not otherwise specifically listed or designated as a hazardous substance under subparagraphs (a) through (f) of this paragraph, and the term does not include natural gas, natural gas liquids, liquefied natural gas, or synthetic gas usable for fuel (or mixtures of natural gas and such synthetic gas).
4. The term "pollutant or contaminant" shall include, but not be limited to, any element, substance, compound, or mixture, including disease-causing agents, which after release into the environment and upon exposure, ingestion, inhalation, or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains, will or may reasonably be anticipated to cause death, disease, behavioral abnormalities, cancer, genetic mutation, physiological malfunctions (including malfunctions in reproduction) or physical

deformations in such organisms or their offspring, except that the term "pollutant or contaminant" shall not include petroleum, including crude oil or any fraction thereof which is not otherwise specifically listed or designated as a hazardous substance under CERCLA, and shall not include natural gas, liquefied natural gas, or synthetic gas of pipeline quality (or mixtures of natural gas and such synthetic gas).

5. The term "release" means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment (including the abandonment or discarding of barrels, containers, and other closed receptacles containing any hazardous substance or pollutant or contaminant), but excludes (a) any release which results in exposure to persons solely within a workplace, with respect to a claim which such persons may assert against the employer of such persons, (b) emissions from the engine exhaust of a motor vehicle, rolling stock, aircraft, vessel, or pipeline pumping station engine, (c) release of source, byproduct, or special nuclear material from a nuclear incident, as those terms are defined in the Atomic Energy Act of 1954, 42 U.S.C. § 2011 et seq., if such release is subject to requirements with respect to financial protection established by the Nuclear Regulatory Commission under Section 170 of such Act, 42 U.S.C. § 2210, or, for the purposes of Section 9604 of CERCLA or any other response action, any release of source, byproduct, or special nuclear material from any processing site designated under 42 U.S.C. §§ 7912(a)(1) and 7942(a) and (d) the normal application of fertilizer.
6. The term "waste" or "wastes" shall mean and include any discarded materials including, but not limited to, trash, garbage, refuse, by-products, solid waste, hazardous waste, hazardous substances, pollutants or contaminants, and discarded or spilled chemicals, whether solid, liquid, or sludge.
7. The term "you" when referring to an incorporated entity shall mean and include the incorporated entity and its agents and representatives, including, but not limited to, persons directly authorized to transact business on the entity's behalf such as officers, directors, or partners with which the entity is affiliated, employees, accountants, engineers, or other persons who conduct business on the entity's behalf, as well as affiliated entities, including, but not limited to, partnerships, limited liability companies, divisions, subsidiaries, and holding companies.

Enclosure D

Instructions

1. You are entitled to assert a claim of business confidentiality covering any part or all of the information you submit. If you desire to assert a claim of business confidentiality, please see Enclosure A, *Business Confidentiality Claims/Disclosure of Your Response to EPA Contractors and Grantees*. You must clearly mark such information by either stamping or using any other form of notice that such information is a trade secret, proprietary, or company confidential. To ensure to the greatest extent that your intent is clear, we recommend that you mark as confidential each page containing such claimed information.
2. Please provide a separate, detailed narrative response to each question, and to each subpart of each question, set forth in this Information Request. If you fail to provide a detailed response, EPA may deem your response to be insufficient and thus a failure to comply with this Information Request, which may subject you to penalties.
3. Precede each response with the number of the question or subpart of the question to which it corresponds. For each document or group of documents produced in response to this Information Request, indicate the number of the specific question or subpart of the question to which the document(s) responds.
4. Should you find at any time after submission of your response that any portion of the submitted information is false, misrepresents the truth or is incomplete, you must notify EPA of this fact and provide EPA with a corrected written response.
5. Any terms that are used in this Information Request and/or its Enclosures that are defined in CERCLA shall have the meaning set forth in CERCLA. Definitions of several such terms are set forth in Enclosure C, *Definitions*, for your convenience. Also, several additional terms not defined in CERCLA are defined in Enclosure C. Those terms shall have the meaning set forth in Enclosure C any time such terms are used in this Information Request and/or its Enclosures.

Enclosure E

Information Required

1. Return a completed copy of the document titled "Financial Statement of Corporate Debtor" (Enclosure F) based on CLDC's finances. In completing this document please indicate clearly for all assets and debts identified on the questionnaires the type of ownership of each asset described, i.e., owned individually by CLDC or owned with other parties
2. In addition to completion of this financial statement, provide a copy of CLDC's U.S. Corporate Income Tax Return, Form 1120, for the years 2011 through 2015 and for 2016 when it is available. You must provide a copy of the tax returns submitted to the Internal Revenue Service that contains any and all attachments that would be required by the Internal Revenue Service at the time of filing and include a copy of all forms, worksheets, notices, etc. associated with tax changes, assessments, increases or proposed assessments made by the U.S. Internal Revenue Service. If any of the income, loss or gain reported on the return relates to partnership, trust or subchapter S sources, please provide a copy of the 1065, 1041, or 1120S return as well as any and all attachments that would be required by the Internal Revenue Service at the time of filing. Furthermore, if any of the returns provided have been audited, corrected, amended or changed, or if you have been notified of an audit, please describe the circumstances pertaining to that event.
3. Provide a copy of any and all financial statements that apply to the last five years, including all internal and external audits, balance sheets, income statements and other statements that purport to describe CLDC's net worth and/or income and expenses. In addition, if at any point in the last five years CLDC was required to submit financial statements, please provide a copy of what was submitted as well as an explanation which describes the reason for submission (e.g., for a loan or for demonstration of the financial capability to deliver on a contract).
4.
 - a. Please provide copies of all rental agreements, easements, exclusive rights to use, options to buy, or other documents that describe interests in Real Estate possessed by CLDC, or possessed by other entities for CLDC's benefit, currently in existence or which were in effect for the past five years.
 - b. If there are any oral agreements or other unwritten agreements pertaining to any Real Estate interests described in response to Question 4a, above, please provide the specifics as to the length of the agreement, the specific requirements of the agreement and the compensation payable regarding the agreement.

Enclosure F

Financial Statement of Corporate Debtor

FINANCIAL STATEMENT OF CORPORATE DEBTOR

**Submitted for Government
Action On Claims Due
To The United States**

(Use Additional Sheets Where Needed)

1. Name (Debtor): _____ Type: For Profit ()
Not for Profit ()
2. Business Address _____
 _____ Street

 _____ City _____ State _____ Zip _____

Note: Attach Schedule of all Business Addresses

3. Foreign _____ Domestic _____
4. Legal Form of Business Organization during last five (5) years.
 _____ Corporation
 _____ Subchapter S Corporation
 _____ Partnership
 _____ Proprietorship
 _____ Trust
 _____ Other? _____
5. State of Incorporation _____ Date of Incorporation _____
6. Name/Registered Agent _____
7. Address/Registered Agent _____
8. Name and address of Principal Stockholders and number of shares owned by each. (If more than 8 shareholders, list only those with 5 percent or more stock ownership.)

Total outstanding shares _____

<u>Name</u>	<u>Address</u>	<u>Shares</u>
(1) _____	_____	_____
(2) _____	_____	_____
(3) _____	_____	_____
(4) _____	_____	_____
(5) _____	_____	_____
(6) _____	_____	_____

<u>Name</u>	<u>Address</u>	<u>Shares</u>
(7) _____	_____	_____
(8) _____	_____	_____

9. (A) Name and address of current (and for previous five years) officers and number of shares held by each.

<u>Name</u>	<u>Address</u>	<u>Shares</u>	<u>Terms</u>
(1) _____	_____	_____	_____
(2) _____	_____	_____	_____
(3) _____	_____	_____	_____
(4) _____	_____	_____	_____
(5) _____	_____	_____	_____
(6) _____	_____	_____	_____
(7) _____	_____	_____	_____
(8) _____	_____	_____	_____
(9) _____	_____	_____	_____
(10) _____	_____	_____	_____

- (B) Name and address of current (and for previous five years) members of board of directors and number of shares held by each.

<u>Name</u>	<u>Address</u>	<u>Shares</u>	<u>Terms</u>
(1) _____	_____	_____	_____
(2) _____	_____	_____	_____
(3) _____	_____	_____	_____
(4) _____	_____	_____	_____
(5) _____	_____	_____	_____
(6) _____	_____	_____	_____
(7) _____	_____	_____	_____
(8) _____	_____	_____	_____

Name	Address	Shares	Terms
(9) _____	_____	_____	_____
(10) _____	_____	_____	_____

10. Has this organization ever issued a prospectus for the sale of stock? Yes () No ()
List date, number, and type of shares for each prospectus during the last five years.

11. (A) Registration on National or Local Stock Exchange(s). (Give details, including date of Registration and/or delisting.)

(1) _____
(2) _____
(3) _____

- (B) Total authorized Shares for each type issued and present market value per share on each type of stock (or book value if not actively traded).

Type of Shares	Total Shares	Book Value	Market Value
(1) _____	_____	_____	_____
(2) _____	_____	_____	_____
(3) _____	_____	_____	_____
(4) _____	_____	_____	_____

- (C) Total outstanding shares of each type of stock currently being held as Treasury Stock.

- (D) Total outstanding shares of each type of stock.

- (E) Amount of bonded debt and principal bondholders.

12. List states and municipalities to which taxes have been paid and/or are being paid. Describe nature and amount of such taxes, state most recent year of payment thereof and whether tax payments are current.

13. Has this organization filed United States Income Tax Returns during the last 5 years? Yes () No ()

To what I.R.S. Office(s) _____

What years? _____

Are Federal Taxes Current? Yes () No ()

Provide income tax returns for the following years _____

14. Name and address of:

(A) Organization's Independent Certified Public Accountants

(B) Attorney(s) retained by Organization from _____ to _____

15. Has this organization filed Financial Forms with any organization or government entity? List name of organization or entity, date and type of Financial Form.

16. Does this organization have a Profit and Loss Statement and Balance Sheet for the most recent calendar or fiscal year and for specified past years? Past Years _____

Submit one copy of each. (Audited documents are preferred.)

(A) Assets

	Year	_____	_____	_____	_____	_____
Cash	\$	_____	_____	_____	_____	_____
Securities	\$	_____	_____	_____	_____	_____
Existing Facilities	\$	_____	_____	_____	_____	_____
Equipment						
Original Cost	\$	_____	_____	_____	_____	_____
Depreciation	\$	_____	_____	_____	_____	_____
Inventory	\$	_____	_____	_____	_____	_____
Accounts Receivable	\$	_____	_____	_____	_____	_____
Other	\$	_____	_____	_____	_____	_____
Total Assets	\$	_____	_____	_____	_____	_____

(B) Liabilities and Stockholders Equity

Year					
Loans Payable ¹					
Principal	\$				
Monthly Payment	\$				
Mortgages ²					
Principal	\$				
Monthly Payment	\$				
Accounts Payable	\$				
Deferred Taxes	\$				
Insurance Premiums	\$				
Other	\$				
Stockholder's Equity					
Common Stock	\$				
Paid-in-Capital	\$				
Retained Earnings	\$				
Total Liabilities and Stockholder's Equity	\$				

(C) Loans Payable

<u>Owed to/Purpose</u>	<u>Term/Interest Rate</u>	<u>Collateral/Cosigner</u>
(1) _____	_____	_____
(2) _____	_____	_____
(3) _____	_____	_____

<u>Monthly Payments</u>	<u>Original Amount/Date</u>	<u>Present Balance</u>
(1) _____	_____	_____
(2) _____	_____	_____
(3) _____	_____	_____

(D) Mortgages Payable

(1) _____	_____	_____
(2) _____	_____	_____
(3) _____	_____	_____

<u>Monthly Payments</u>	<u>Original Amount/Date</u>	<u>Present Balance</u>
(1) _____	_____	_____
(2) _____	_____	_____
(3) _____	_____	_____

¹Complete loan information as requested in Number 16(C), Loans Payable.

²Complete mortgage information as requested in Number 16(D), Mortgages Payable

(E)	<u>Income/Expenses</u>					
	Year	_____	_____	_____	_____	_____
Gross Income	\$	_____	_____	_____	_____	_____
Net Sales	\$	_____	_____	_____	_____	_____
Interest Income	\$	_____	_____	_____	_____	_____
Dividends	\$	_____	_____	_____	_____	_____
Other	\$	_____	_____	_____	_____	_____
<u>Operating Expenses</u>						
	Year	_____	_____	_____	_____	_____
Wages	\$	_____	_____	_____	_____	_____
Overhead	\$	_____	_____	_____	_____	_____
Lease Payments	\$	_____	_____	_____	_____	_____
Interest Expense	\$	_____	_____	_____	_____	_____
Cost of Sales	\$	_____	_____	_____	_____	_____
Net Income	\$	_____	_____	_____	_____	_____

(F)	In addition, provide the following <u>firm size</u> information:					
	Year	_____	_____	_____	_____	_____
Number of Employees		_____	_____	_____	_____	_____
Size of Warehouse		_____	_____	_____	_____	_____
Number and Size of shipments		_____	_____	_____	_____	_____
Other		_____	_____	_____	_____	_____

Attach the following additional years for question 16 on a separate sheet: _____

17. Does this organization maintain bank accounts: Give names and addresses of Banks, Savings and Loan Associations, and other such entities, within the United States or located elsewhere. Indicate name and number of accounts and balances.

(A) Checking Accounts

<u>Name of Bank</u>	<u>Account #</u>	<u>Balance (Approximate)</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

(B) Savings Accounts

<u>Name of Bank</u>	<u>Account #</u>	<u>Balance (Approximate)</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

(C) Other Account(s)

<u>Name of Institution</u>	<u>Account #</u>	<u>Balance (Approximate)</u>

(D) Savings & Loan Associations or Other such Entities

<u>Name of Institution</u>	<u>Account #</u>	<u>Balance (Approximate)</u>

(E) Trust Account(s)

<u>Name of Institution</u>	<u>Account #</u>	<u>Balance (Approximate)</u>

18. List all commercial paper, negotiable or non-negotiable in which the organization has any interest whatsoever, presently in transit or in the possession of any banking institution. Describe such paper and the organization's interest therein, and state its present location. List all accounts and loans receivable in excess of \$300 and specify if due from an officer, stockholder, or director.

19. Has this organization engaged in any Joint Loan Agreements, including Letters of Credits, with any other organization(s)? Describe all such agreements.

20. Does this organization have any debt coinsured by another organization? Describe such arrangements.

21. List all equity participation in other organizations both domestic and foreign in which this organization has an interest, including the type, amount and terms of such interest.

22. List all debt participation in other organizations both domestic and foreign in which this organization has an interest, including the type, amount and terms of such interest.

23. Is this organization presently:

(A) Active (Answer No for inactive, but still in existence) Yes () No ()

(B) Void and/or terminated by State authority Yes () No ()

(C) Otherwise dissolved Yes () No ()

(1) Date _____

(2) By whom _____

(3) Reason _____

24. (A) List Corporate salaries to and/or drawings of the following personnel for the last five taxable years:

<u>Year</u>					
President	_____	_____	_____	_____	_____
Chairman/Board	_____	_____	_____	_____	_____
Secretary	_____	_____	_____	_____	_____
Treasurer	_____	_____	_____	_____	_____

- (B) List five most highly compensated employees or officers other than above, describe position and set forth annual salary and/or bonus for last five taxable years:

<u>Name</u>	<u>Position</u>	<u>Specify Years</u>
(1) _____	_____	_____
(2) _____	_____	_____
(3) _____	_____	_____ 4.
(4) _____	_____	_____
(5) _____	_____	_____

- (C) Describe the nature of the compensation paid to the persons listed in (A) and (B) above and set forth any stock options, persons, profit sharing, royalties, or other deferred compensation rights of said persons.

25. List organizations commercial activity (fields of activity resulting in income) and SIC Code.

	<u>Commercial Activity</u>	<u>SIC Code</u>
Primary	_____	_____
Other	_____	_____
	_____	_____
	_____	_____

26. List all other supplementary fields of activity in which this organization is engaged, either directly, through subsidiaries, or affiliates, stating the name(s) and state(s) of incorporation of such subsidiaries or affiliates.

27. Has this organization at any time been the subject of any proceeding under the provisions of any State Insolvency Law, or the Federal Bankruptcy Act; As Amended? If so, supply the following information as to each such proceeding:

(A) Date (Commencement) _____

(B) Date (Termination) _____

(C) Discharge or other disposition, if any, and operative effect thereof: _____

(D) State Court _____ Federal Court _____

County District

(E) Docket No. _____

28. (A) List all Real Estate, and Personal Property of an estimated value in excess of \$500.00 owned or under contract to be purchased by this organization and where located:

- (B) List and describe all judgments, recorded and unrecorded:
- (1) Against the organization

- (2) In favor of the organization

- (C) List and describe all other encumbrances against Real Estate owned by the organization: (include but not limited to mortgages, recorded or unrecorded):

- (D) List and describe all other encumbrances (including but not limited to Security Interest, whether preferred or not) against any such personal property owned by the organization as is listed in 27 (A) above.

- (E) List and describe location of Real Estate, including Real Estate being purchased under contract, with name and address of Seller and contract price:

29. List all Life Insurance, now in force on any or all Officers, Directors, and/or "key" employees, setting forth face amounts, names of life insurance companies and policy numbers where this organization has an "insurable interest" and/or is paying the premium or part of same. Where applicable, indicate under which policy (s) this organization is a Beneficiary, type policy(s), yearly premium and location of policy(s). In addition, describe the conditions of and borrowing options available under each policy.

With knowledge of the penalties for false statements provided by 18 United States Code 1001 (\$10,000 fine and/or five years imprisonment) and with knowledge that this financial statement is submitted by me to affect potential action by the Department of Justice, I certify that I believe the above statement is true and that is a complete statement of all my income and assets, real and personal, whether held in my name or by any other.

Date

Signature

NOTARY PUBLIC

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☐ Adult Signature Restricted Delivery \$ _____

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City, State, &

Mr. Richard Heller
4326 Acacia Circle
Coconut Creek, FL 33066-2051

7016 0910 0000 4068 4725

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- Electronic verification of delivery or attempted delivery.
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 - Return receipt service, which provides a record of delivery (including the recipient's signature). You can request a hardcopy return receipt or an electronic version. For a hardcopy return receipt, complete PS Form 3811, *Domestic Return Receipt*; attach PS Form 3811 to your mailpiece;

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- Adult signature service, which requires the signee to be at least 21 years of age (not available at retail).
- Adult signature restricted delivery service, which requires the signee to be at least 21 years of age and provides delivery to the addressee specified by name, or to the addressee's authorized agent (not available at retail).
- To ensure that your Certified Mail receipt is accepted as legal proof of mailing, it should bear a USPS postmark. If you would like a postmark on this Certified Mail receipt, please present your Certified Mail item at a Post Office™ for postmarking. If you don't need a postmark on this Certified Mail receipt, detach the barcoded portion of this label, affix it to the mailpiece, apply appropriate postage, and deposit the mailpiece.

IMPORTANT: Save this receipt for your records.

SENDER: COMPLETE THIS SECTION

- ☒ Complete items 1, 2, and 3.
- ☒ Print your name and address on the reverse so that we can return the card to you.
- ☒ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Richard Heller
4326 Acacia Circle
Coconut Creek, FL 33066-2051



9590 9402 2091 6132 9052 62

2. Article Number (Transfer from service label)

7016 0910 0000 4068 4725

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent

☒ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
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- ☐ Registered Mail Restricted Delivery (\$500)

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- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☒ Return Receipt for Merchandise
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